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*Counsel for Plaintiff*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.  
PASSENGER SEXUAL ASSAULT  
LITIGATION

**MDL No. 3084 CRB**  
Hon. Charles R. Breyer

**DECLARATION OF TRACEY B.  
COWAN IN SUPPORT OF  
MOTION TO WITHDRAW AS  
COUNSEL OF RECORD**

This Document Relates to:

*CLF T.M. v. Uber Technologies, Inc., et al.*  
Case No. 25-cv-4281-CRB

Date: November 7, 2025  
Time: 10:00 a.m.  
Courtroom 6

I, Tracey B. Cowan, declare as follows:

1. I am a partner of Clarkson Law Firm, P.C. and am licensed to practice before all state and federal courts in the State of California. I am the attorney of record for the Plaintiff. I am over the age of eighteen and have personal knowledge of the facts set forth herein, and, if called as a witness, I could and would testify competently as to such facts.

2. Plaintiff T.M. signed a retainer agreement with my firm on January 24, 2025. A material term of that contract was that Plaintiff must always maintain updated contact information

1 with counsel. The contract specified that my firm would have grounds to withdraw as counsel if  
2 this contractual obligation was not upheld.

3 3. Despite this agreement, for several months my team has been unable to reach  
4 Plaintiff T.M. despite repeated attempts to contact her using a variety of methods. We have tried  
5 numerous times to call and text Plaintiff at the phone number she provided, with no response. She  
6 has not responded to any of the numerous emails we have sent to the email address she provided.  
7 We have also mailed multiple letters to Plaintiff's physical address, which have gone unanswered.

8 4. We filed this action on May 19, 2025, at our client's behest.

9 5. Per Pretrial Order ("PTO") 10, Plaintiff T.M.'s Plaintiff Fact Sheet ("PFS") was  
10 due within 30 days of May 19, 2025. My team made several attempts following the filing of  
11 Plaintiff T.M.'s case to gather the necessary information to comply with the requirements of PTO  
12 10. My team was not able to reach Plaintiff T.M., nor did she make any independent attempts to  
13 contact my team.

14 6. Unable to reach Plaintiff T.M. by phone, text message, or email for several weeks,  
15 my team requested an extension on the deadline to submit Plaintiff T.M.'s PFS. On June 13, 2025,  
16 counsel for Defendants granted a 30-day extension for Plaintiff T.M.'s PFS, giving her until July  
17 18, 2025, to comply with PTO 10.

18 7. On June 11, 2025, having been unable to reach Plaintiff T.M. via phone and email,  
19 my office mailed a letter, through certified mail, to Plaintiff's address in Stafford, Texas. We also  
20 sent a copy by email. This letter stated that if Plaintiff was unable or unwilling to communicate  
21 with us, we would no longer be able to represent her in this litigation. This letter reiterated  
22 Plaintiff's duty to communicate, as was stated in the representation agreement she signed. The  
23 letter was returned to our office.

24 8. On June 18, 2025, having still not heard from Plaintiff T.M., my team sent a second  
25 certified letter to her address in Stafford Texas, and sent a copy via email. This letter stated that  
26 we had been unable to get in contact with Plaintiff, and if we did not hear back by a certain date,  
27 we would move forward with withdrawal of representation in her case. The letter was returned to  
28 my office.

1           9.       On July 25, 2025, my team sent a final withdrawal letter to Plaintiff, both by email  
2 and by certified mail to her physical address in Stafford, Texas. This letter was returned to sender.

3           10.      After conducting a diligent search to confirm Plaintiff's current address, my office  
4 hired a process server to personally serve Plaintiff the final withdrawal letter at her address in  
5 Stafford, Texas. On August 7, 2025, after multiple attempts, the process server was able to  
6 complete service on Plaintiff T.M. at her address in Stafford, Texas.

7           11.      Plaintiff T.M.'s inability or refusal to communicate has prevented us from  
8 collecting information required by court-ordered deadlines and puts us at risk of being unable to  
9 produce documents in accordance with future deadlines. As referenced above, we were unable to  
10 speak with Plaintiff and gain additional information regarding her claims prior to the July 18,  
11 2025, deadline to submit her PFS—a court-mandated deadline that had already been extended to  
12 allow my team additional time to reach Plaintiff T.M. The PFS requires information my team  
13 does not currently have and, further, requires Plaintiff to provide responses in her own words. We  
14 thus cannot complete and submit Plaintiff's PFS without communicating with Plaintiff. We  
15 informed Plaintiff, via email and in the multiple hard-copy, certified letters mentioned above, of  
16 the importance of responding, specifically because of the relevant court-mandated deadlines.

17           12.      Plaintiff T.M. has ceased all contact with her attorneys, and we have no way to  
18 contact her. Without her cooperation and willingness to communicate with her counsel, it is  
19 impossible for me or my firm to effectively represent her.

20           I declare, under penalty of perjury, that the foregoing is true and correct to the best of my  
21 knowledge, that if called as a witness, I could competently testify thereto, and that this declaration  
22 is executed in San Rafael, California on September 18, 2025.

23                               s/ Tracey Cowan  
24                               Tracey Cowan

**CERTIFICATE OF SERVICE**

I, Tracey Cowan, hereby certify that I caused to be served on the attached Notice of Motion and Motion to Withdraw as Counsel, and Supporting Memorandum and Declaration of Tracey Cowan in Support of Motion to Withdraw on September 18, 2025 by first class U.S. Mail, addressed to: T.M., at the last recorded address on file.

Executed in San Rafael, California on September 18, 2025.

s/Tracey Cowan

Tracey Cowan